

IN THE UNITED STATES DISTRICT COURT
FOR THE SOUTHERN DISTRICT OF NEW YORK

UNITED STATES OF AMERICA,

Civil No.: 7:19-cv-09609

Plaintiff

NOTICE OF PENDENCY-Action to
Foreclose a Mortgage

-v-

Stephen Witt
25 Black Rock Trail
Port Jervis, NY 12771

Dorreth E. Witt
25 Black Rock Trail
Port Jervis, NY 12771

Commissioner of the Orange County Department of Social Services
Box Z
11 Quarry Road
Goshen, NY 10924

John Doe, Mary Roe, and XYZ Corporation
25 Black Rock Trail
Port Jervis, NY 12771

NOTICE IS HEREBY given that an action has been commenced and is now pending in this Court upon the complaint of the above-named plaintiff against the above-named defendants, for the foreclosure of a certain mortgage bearing the date of November 26, 1991 and executed by the Defendant Stephen Witt and Dorreth E. Witt to the United States of America acting through the Rural Housing Service or successor agency, United States Department of Agriculture, the above-named Plaintiff, to secure the sum of \$103,700.00, plus interest and that interest credit assistance subject to recapture, which said Mortgage was recorded in the Office of the Clerk of the County of Orange on December 03, 1991 at Liber 4140 Page 9.

And that the premises affected by said foreclosure action were at the time of the commencement of this action and are at the time of the filing of this notice situated in the limits of the Town of Deerpark, Orange County, New York and are described in said mortgage as set forth in the attached Exhibit "A".

The Orange County Clerk is directed to index this Notice to the name(s) of Defendant(s), Stephen Witt and Dorreth E. Witt and against the following parcels of property shown on the official Tax Map of the County of Orange, as follows:

Section: 61, Block: 6, Lot: 16

Dated: Uniondale, New York, October 17, 2019

/s/ Cynthia Malone

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Uniondale, NY 11556
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SCHEDULE "A"

ALL that tract or parcel of land situate in the Town of Deerpark, County of Orange and State of New York, being known and designated as Lot No. 14 in Block "A" as shown on a certain map entitled, "Revised Subdivision Plat, Section Two, Painted Apron Village", dated October, 1972, last revised November 7, 1989 and filed in the Orange County Clerk's Office on November 15, 1989 as Map No. 9715, being more particularly bounded and described as follows:

BEGINNING at a point on the northerly bounds of Brant's Trail at the southeasterly corner of Lot No. 13 in Block "A" as shown on the above mentioned filed map, running thence from said point of beginning along the easterly bounds of said Lot No. 13 North 00 degrees 31 minutes 30 seconds East 155.00 feet to a point at a southwesterly corner of Lot No. 18 in Block "A" as shown on the above mentioned filed map, thence running along the southeasterly bounds of said Lot No. 18 and running to and along the southeasterly bounds of Lot No. 17 in Block "A" as shown on the above mentioned filed map North 79 degrees 50 minutes 00 seconds East 155.58 feet to a point at the northwesterly corner of Lot No. 15 in Block "A" as shown on the above mentioned filed map, thence running along the westerly bounds of said Lot No. 15 South 00 degrees 31 minutes 30 seconds West 183.86 feet to a point on the northerly bounds of Brant's Trail, thence running along said northerly road bounds North 89 degrees 28 minutes 30 seconds West 152.87 feet to the point or place of beginning containing 0.59 acre of land to be the same more or less.

North per filed map.

The foregoing description is in accordance with a survey prepared by M. Grant Decker, Professional Land Surveyor, dated October 4, 1991, bearing drawing number DE-61-6-16.

BEING A PORTION of the same premises conveyed by A.J.B. Enterprises, Inc., a New York Corporation, to C.A.P. Construction Co., Inc., a New York Corporation, by deed dated August 28, 1986 and recorded in the Orange County, New York Clerk's Office on September 10, 1986 in Liber 2570 of Deeds at page 273.

TOGETHER WITH the right of ingress, egress and regress over the roads shown on the above filed map to Neversink Drive "County Highway 80".

TOGETHER WITH and UNDER AND SUBJECT TO the following restrictions, reservations and covenants which shall run with the land:

1. That no shacks, tents, trailers, trailer camps or any unsightly building or buildings shall be built, constructed or maintained, placed or permitted on a lot, or any part thereof.
2. That any lot with buildings thereon located, shall be kept in a sanitary condition; all garbage and refuse shall be immediately taken

SCHEDULE "A" - CONTINUED

or carried away; dumping of garbage or refuse on other lands is prohibited.

3. That no poultry, cattle or any livestock whatsoever, shall be kept, bred or raised upon the lot or any building thereon erected or any part thereof and that no more than two domestic animals may be kept or maintained thereon.

4. Said premises shall not be used for any commercial or manufacturing purpose of any kind.

5. That the lot or any building thereon erected, or any part thereof, shall not be used or occupied as a club, profit or non-profit, or for the carrying on of any trade or profession.

6. That the lot or any building thereof erected, or any part thereof, shall not be used or occupied for the distillation or brewing, manufacturing, bottling, or sale of any malt, vinous, spiritous or intoxicating liquors of any kind.

7. That no oil or gas well shall be drilled on any lot or part of lot conveyed.

8. That an open, uncontrolled or untended fire is absolutely prohibited on any lot or lots or parts thereof.

THIS is a Purchase Money Mortgage given to secure a portion of the purchase price hereunder.

"SUBJECT TO THE TRUST FUND PROVISION OF SECTION 13 OF THE LIEN LAW."

*Premises to be improved by a one or two
family residence only*

LIBER 4140 PAGE 13

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